

Remarks

Claims 1-24 are pending in the application. Claims 1, 3-7, 9, 12-14, 17-19, 21 and 22 are rejected. Claims 2, 8, 10, 11, 15, 16, 20, 23 and 24 are objected to. By this paper, claims 1, 9, 21 and 22 are amended, and new claims 25-27 are added. Based on the following, consideration of the new and amended claims, and reconsideration of the remaining claims, are requested.

Claim Rejections—35 U.S.C. § 112

The Examiner rejected claims 21 and 22 under 35 U.S.C. § 112, second paragraph, based on the phrase "second seat" found in claim 21. By this paper, claims 21 and 22 are amended to more particularly point out and distinctly claim the subject matter of the invention. In particular, the modifier "second" used to describe the seat has been removed from claims 21 and 22. Accordingly, Applicants believe that claims 21 and 22 are now in allowable form.

Claim Rejections—35 U.S.C. § 102

The Examiner rejected claims 1, 3-7, 9, 12-14, 17-19 and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,419,304 (Sangimino). The MPEP states that "'a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.'" MPEP § 2131, 8th ed., Rev. 2 (citation omitted). The MPEP further states that "'the identical invention must be shown in as complete detail as is contained in the... claim.'" *Id.* (citation omitted). Because each of the pending claims contains elements which are neither expressly nor inherently described in Sangimino, or any of the other cited references, it is submitted that none of the references anticipate the pending claims.

By this paper, claim 1 is amended to more particularly point out and distinctly claim the subject matter of the invention. Specifically, amended claim 1 now recites "at least one pair of door panels," which is consistent with the "at least one pair of transversely opposed door openings." This change is consistent with the drawing figures and specification as originally filed; therefore, no new matter has been added.

With regard to the Sangimino reference, Applicants submit that claim 1 contains elements which are neither expressly nor inherently described in that patent. For example, amended claim 1 recites "a roof panel including a fixed portion and a movable portion...." In contrast, Sangimino describes only a vehicle top or cover 111 that is "formed of a flexible light metal and is rollable, so as to cover and uncover the top of the automobile." (Col. 4, ll. 61-63.) As described in the specification, and illustrated in the drawing figures, the entire roof panel in the Sangimino reference is movable. There is, however, a hollow cylindrical portion 113 that is "slotted at its rear side... to permit the material of the cover 111 to move inwardly or outwardly thereof." (Col. 4, ll. 69-71.) The hollow cylindrical portion 113 is a housing, and is not part of the roof panel. Thus, Sangimino does not teach a roof panel having a fixed portion and a movable portion, merely a roof panel having a movable portion.

Even if the cylindrical portion 113, which houses the cover 111, is considered to be a fixed portion of a roof panel, it still does not expressly or inherently describe the roof panel specifically recited in amended claim 1. For example, amended claim 1 recites that "the front panel, door panels, roof panel, back panel, tailgate and retractable rear side panels defin[e] a fully enclosed passenger space and cargo area...." Thus, the roof panel recited in claim 1 partially defines the passenger space and cargo area. This is in contrast to the hollow cylindrical portion 113 of Sangimino, which is disposed toward a front portion of the vehicle, and does not serve to define any vehicle space. Therefore, amended claim 1 of the present application contains elements which are neither expressly nor inherently described in Sangimino, and the MPEP definition of anticipation is not met.

Amended claim 1 is the base claim claims 3-7. Each of these dependent claims contains all of the limitations of amended claim 1, as well as additional limitations which further distinguish it from the cited reference. Therefore, with regard to Sangimino and claims 3-7, the MPEP definition of anticipation is not met.

By this paper, Claim 9 is amended to more particularly point out and distinctly claim the subject matter of the invention. For example, amended claim 9 recites "the roof panel movable portion and roof panel fixed portion being disposed in a generally side-by-side relationship when the roof panel movable portion is in its extended position...." Amended claim 9 further recites "the roof panel movable portion and the roof panel fixed portion being disposed in a generally over-under relationship when the roof panel movable portion is in its retracted position...." No such elements are expressly or inherently described in Sangimino. Rather, as noted above, Sangimino describes a flexible vehicle top that rolls into a hollow cylindrical housing. Thus, even if the cylindrical housing 113 is construed to be a fixed portion of the roof panel, it does not expressly or inherently describe the roof panel recited in amended claim 9. Moreover, Sangimino does not show the identical invention in as complete detail as is contained in amended claim 9. Amended claim 9 is the base claim for claims 12-14, 17-19 and 21. Each of these dependent claims contains all of the limitations of amended claim 9, as well as additional limitations which further distinguish it from the cited references. Therefore, with regard to Sangimino and amended claim 9, claims 12-14, 17-19 and 21, the MPEP definition of anticipation is not met.

Allowable Subject Matter

The Examiner objected to claims 2, 8, 10, 11, 15, 16 and 20 as being dependent upon a rejected base claim, but indicated that each would be allowable if rewritten in independent form to include all of the limitations of its respective base claim, and any intervening claims. As discussed above, Applicants believe claims 1 and 9 to be allowable, and therefore, claims 2 and 8, and claims 10, 11, 15, 16 and 20, which respectively depend from claims 1 and 9, are also believed to be allowable.

By this paper claims 25-27 are added. Claim 25 contains all of the limitations of original claim 9 and claim 10, claim 26 contains all of the limitations of original claim 9 and claim 15, and claim 27 contains all of the limitations of original claim 9 and claim 16. Therefore, each of the new claims is believed to be allowable.

The Examiner objected to claim 22, but said that it would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. As discussed above, claim 22 is amended by this paper, and is now believed to be in allowable form.

Applicants gratefully acknowledge the allowance of claims 23 and 24, and request allowance of each of the remaining claims.

The Commissioner is hereby authorized to charge \$264.00 to cover additional claims, as well as any additional fees associated with this filing, to the Deposit Account of Ford Global Technologies LLC, No. 06-1510. A duplicate of this Transmittal Letter is enclosed for that purpose.

Respectfully submitted,

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